

SRD/ASJZ USAO 2021R00331

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

TYRESE CARTER

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Criminal Number: ELH 21-cr-204**Wire Fraud, 18 U.S.C. § 1343****INFORMATION****COUNT ONE**

The United States Attorney for the District of Maryland charges that:

INTRODUCTION

At all times relevant to this Information:

1. Defendant **TYRESE CARTER** (“**CARTER**”) resided in Baltimore, Maryland.
2. On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security (“**CARES**”) Act was enacted to provide emergency financial assistance to the millions of Americans suffering from the economic consequences of COVID-19. The Paycheck Protection Program (“**PPP**”), established by the CARES Act, is implemented by the Small Business Administration (“**SBA**”) with support from the Department of the Treasury. This program provides small businesses with funds to pay up to eight weeks of payroll costs including benefits. Funds can also be used to pay interest on mortgages, rent, and utilities. The SBA’s Economic Injury Disaster Loan (“**EIDL**”) is available to provide support to small businesses experiencing a temporary loss of revenue because of the COVID-19 pandemic. EIDL proceeds can be used to

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cover a wide array of working capital and normal operating expenses, such as continuation to health care benefits, rent, utilities, and fixed debt payments.

3. **CARTER** was employed by the Federal Emergency Management Agency (“FEMA”) as an Emergency Management Specialist since at least April 2018. As such, **CARTER** was subject to deployment anywhere in the United States in support of FEMA emergency operations. On April 9, 2020, as part of FEMA’s response to the COVID-19 pandemic, **CARTER** was detailed to work in an SBA virtual call center. There, **CARTER** was assigned to assist potential disaster loan applicants by answering questions about the SBA’s EIDL program.

4. Victim A, who ran an organic skin care and event center business in Colorado, applied for both a PPP loan and an EDIL. On April 4, 2020, Victim A submitted an online EIDL application, and requested an advance of \$9,000. Subsequently, Victim A became concerned that her application did not go through successfully and, on April 13, 2020, filled out a second EIDL application. Unbeknownst to Victim A, this second EIDL application was rejected as a duplicate application.

5. Meanwhile, at the request of Victim A, another bank submitted a PPP application on Victim A’s behalf. On April 28, 2020, the SBA approved the PPP loan and, on April 30, 2020, Victim A received the proceeds of this loan into her bank account. The next day, Victim A received the proceeds from her original EIDL application into her bank account.

6. Victim A was concerned that she may have mistakenly been granted two EIDL advances as a result of her filing two online EIDL applications. On or about May 4, 2020, Victim A called the SBA’s helpline to report what Victim A believed may have been an excess payment. Victim A spoke to **CARTER**. Victim A told **CARTER** that she may have been overpaid by the

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SBA and she wanted to know the procedure for returning the excess funds. **CARTER** stated he was not sure how Victim A could return the funds and that a supervisor would call Victim A with further instructions.

7. Approximately thirty minutes thereafter, **CARTER** telephoned Victim A from a blocked telephone number and falsely identified himself as SBA supervisor Michael Valdes, a fictitious individual. **CARTER** told Victim A that he would send an email to Victim A providing directions on how to return the excess funds. That same day, **CARTER** created an email account in the name of “valdesmichael.sbafinancial@gmail.com.”

8. On or about May 5, 2020, at 7:56 AM, **CARTER** sent an email to Victim A from valdesmichael.sbafinancial@gmail.com with the subject “SBA FINANCIAL.” The email contained logos appearing to be those of the United States Department of the Treasury and the SBA:



The email contained the following text:

Hello [Victim A], I am reaching out to inform you of the process to reverse the EIDL CASH TREASURY, please complete the follow [sic] directions below, in (1) week this email will expire on May 12th 2020. -1961

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PayPal charges 2.9% of any Transaction fee also a 0.30 cent fee for each transaction
2.9% of 9,000.000USD is 261.00USD
The amount you should return is 8,738.00USD
PayPal account
<https://www.paypal.me/sbafinancial>

9. Based on the above email, Victim A directed her assistant to send \$8,738.00 to PayPal account <https://www.paypal.me/sbafinancial> ("SBA Financial PayPal Account") from Victim A's bank account. An interstate wire in this amount was sent on May 5, 2020.

10. **CARTER** created the SBA Financial PayPal Account on May 4, 2020 and closed it on May 20, 2020.

11. Victim A reported the suspected fraud to PayPal and KeyBank. KeyBank reimbursed Victim A for the loss related to the fraud and was not reimbursed for these funds. On or about May 8, 2020, Victim A reported the suspected fraud to the SBA.

12. On May 19, 2020, **CARTER** transferred \$8,738.00 from the SBA Financial PayPal Account to his Navy Federal Credit Union (NFCU) bank account. This transfer was initially held up by NFCU. As Victim A was working with KeyBank to cancel the \$8,738.00 transaction, Victim A received another telephone call from **CARTER**, who identified himself as Valdes. On the call, he asked Victim A to provide an update about the PayPal transfer.

13. In addition, **CARTER** called Victim A identifying himself as SBA employee Nathaniel Williams. He asked Victim A who else Victim A talked to so Victim A's file could be closed. **CARTER** then emailed Victim A on May 20, 2020 from email address nathanielwilliams.sba@gmail.com, and stated the following:

Hello [Victim A],

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after [sic] looking into your info I suggest you try to reapply because I can not locate your application number. Do you mind sending me those names so I can close this part of your case Thanks [sic]

Phone: (202)656-3958

Fax:(202)565-3958

14. On October 19, 2020, NFCU returned \$8,738 to PayPal, which deposited the funds into a second PayPal account belonging to **CARTER** because the SBA Financial PayPal Account had been closed. **CARTER** then transferred \$8,728 to an M&T Bank account. On October 20, 2020, **CARTER** withdrew \$6,600 cash from M&T from the counter followed by another \$1,000 from an ATM.

WIRE FRAUD

15. The factual allegations contained in Paragraphs 1 through 14 in this Information are incorporated and re-alleged as it set forth herein. Between in or about April 2020 and in or about October 2020, in the District of Maryland and elsewhere, the defendant, **TYRESE CARTER**, devised and intended to devise a scheme and artifice to defraud Victim A of proceeds of CARES Act emergency financial assistance, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises. For the purpose of executing the scheme and artifice to defraud, and attempting to do so, **CARTER** caused to be transmitted by means of wire communication in interstate and foreign commerce signals and sounds, namely an email dated May 5, 2020 sent by **CARTER** in Maryland to Victim A in Colorado in which **CARTER** provided wiring instructions for the funds he fraudulently sought to obtain from Victim A.

18 U.S.C. § 1343.

Date: 6/10/21

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/s/ Jonathan F. Lenzner /SRD

Jonathan F. Lenzner
Acting United States Attorney